

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No. 67,500-536

First Inventor Gambino

Title FILLED FOOD PRODUCT

Express Mail Label No. EL604434865US

APPLICATION ELEMENTSADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages (28)]
(preferred arrangement set forth below)
Descriptive title of the invention
Cross reference to related applications
Statement regarding Fed sponsored R & D
Reference to sequence listing, a table, or a
Computer program listing appendix
Background of the Invention
Brief Summary of the invention
Brief Description of the Drawings
Detailed description
Claim(s)
Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets (1)]
5. ☒ Oath or Declaration [Total Pages (4)]
 - a. ☒ Unexecuted
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement ☐ Copies of IDS
(IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 USC 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data sheet under 37 CFR. 76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no.: _____ / _____
 Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

27305

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

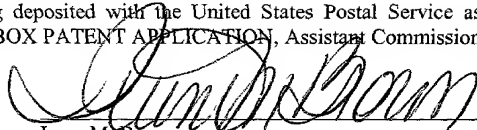
Name	Randall L. Shoemaker				
Address	Howard & Howard & Howard Attorneys, P.C.				
	39400 Woodward Avenue, Suite 101				
City	Bloomfield Hills	State	Michigan	Zip Code	48304-5151
Country	United States	Telephone	(248) 645-1483	Fax	(248) 645-1568

Name (Print/Type)	Randall L. Shoemaker	Registration No. (Attorney/Agent)	43,118
Signature		Date	August 21, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

CERTIFICATE OF EXPRESS MAIL

I hereby certify that the enclosed paper or fee is being deposited with the United States Postal Service as Express Mail, mail label no.EL604434922US, postage prepaid, in an envelope addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 21st day of August 2001.


Irene M. Brown

FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision</i>		Complete if Known	
		Application Number	N/A
		Filing Date	Herewith
		First Named Inventor	Gambino
		Examiner Name	N/A
		Group / Art Unit	N/A
		Attorney Docket No.	67,500-536
TOTAL AMOUNT OF PAYMENT		(\$) 1304.00	

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to</p> <p>Deposit Account No. 08-2789</p> <p>Deposit Account Name Howard & Howard Attorneys</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 127</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (3)</td> <td>(\$)</td> <td></td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						SUBTOTAL (3)				(\$)	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																					
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																					
139	130	139	130	Non-English specification																																																																																																																																																																																					
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																					
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																					
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																					
115	110	215	55	Extension for reply within first month																																																																																																																																																																																					
116	390	216	195	Extension for reply within second month																																																																																																																																																																																					
117	890	217	445	Extension for reply within third month																																																																																																																																																																																					
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																					
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																					
119	310	219	155	Notice of Appeal																																																																																																																																																																																					
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																					
121	270	221	135	Request for oral hearing																																																																																																																																																																																					
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																					
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																					
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																					
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																					
143	440	243	220	Design issue fee																																																																																																																																																																																					
144	600	244	300	Plant issue fee																																																																																																																																																																																					
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																					
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																					
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																																					
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																					
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																					
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																					
Other fee (specify) _____																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																									
SUBTOTAL (3)				(\$)																																																																																																																																																																																					
<p>1. BASIC FILING FEE</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td>\$710.00</td></tr> <tr><td>102</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr> <tr><td>117</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$) 710.00</td> <td></td> </tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Total Claims</th> <th colspan="2">Extra Claims</th> <th rowspan="2">Fee from below</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>53</td> <td>53-20**=</td> <td>33</td> <td>X</td> <td></td> <td>594</td> </tr> <tr> <td>3</td> <td>3-3***=</td> <td>0</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td colspan="5"></td> <td></td> </tr> </tbody> </table> <p>Multiple Dependent _____</p> <p>**or number previously paid, if greater, For Reissues, see below</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL (2)</td> <td>(\$) 594.00</td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	710	201	355	Utility filing fee	\$710.00	102	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		117	150	214	75	Provisional filing fee		SUBTOTAL (1)				(\$) 710.00		Total Claims		Extra Claims		Fee from below	Fee Paid					53	53-20**=	33	X		594	3	3-3***=	0	X									Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)				(\$) 594.00																																																																								
Large Entity		Small Entity		Fee Description			Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
101	710	201	355	Utility filing fee	\$710.00																																																																																																																																																																																				
102	320	206	160	Design filing fee																																																																																																																																																																																					
107	490	207	245	Plant filing fee																																																																																																																																																																																					
108	710	208	355	Reissue filing fee																																																																																																																																																																																					
117	150	214	75	Provisional filing fee																																																																																																																																																																																					
SUBTOTAL (1)				(\$) 710.00																																																																																																																																																																																					
Total Claims		Extra Claims		Fee from below	Fee Paid																																																																																																																																																																																				
53	53-20**=	33	X		594																																																																																																																																																																																				
3	3-3***=	0	X																																																																																																																																																																																						
Large Entity		Small Entity		Fee Description																																																																																																																																																																																					
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
103	18	203	9	Claims in excess of 20																																																																																																																																																																																					
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																					
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																					
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																																																					
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																					
SUBTOTAL (2)				(\$) 594.00																																																																																																																																																																																					

Typed or Printed Name	Registration No. (Attorney/Agent)	Telephone	Date
Randall L. Shoemaker	43,118	(248) 645-1483	August 21, 2001
Signature			
